FY2017 Allegations

Allegations Update

The Agency received 22 allegations in FY2017, 15 of which were received in the first half of the fiscal year. This was a slight decrease from the 24 allegations that were received in FY2016. As of September 30, 2017, EPA has received 130 allegations of a loss of scientific integrity since the Scientific Integrity Policy was adopted in February 2012.

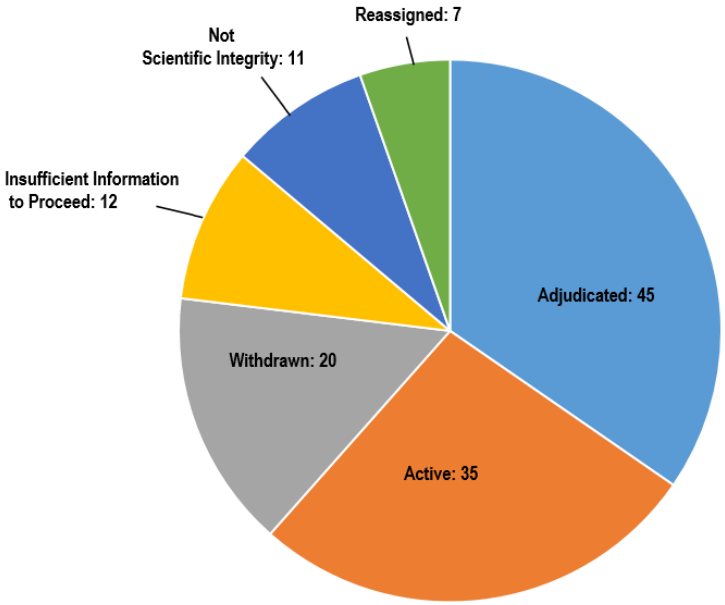

Figure 1. Status of all allegations from February 2012 through September 30, 2017

Allegations may be made in two ways: formally (where the person submitting the allegation is identified) or informally (where the person submitting the allegation prefers to not reveal his or her identity). Of the 22 allegations that were received in FY2017, fifteen (68%) were informal and seven (32%) were formal. For comparison, 58% were informal in FY2016.

Of the fifteen informal reports received in FY2017, two came from outside of the Agency, seven came from EPA offices and programs, two came from regional offices, and four were anonymous EPA submissions. Among the seven formal reports received, five came from outside of the Agency and two came from EPA offices and programs. The number of external allegations in FY2017 increased from five to seven compared to FY2016. Additionally, the number of internal allegations from an unknown office, program, or region doubled from two in FY2016 to four in FY2017.

Figure 2 depicts the number of allegations received in every quarter since the Policy was published.

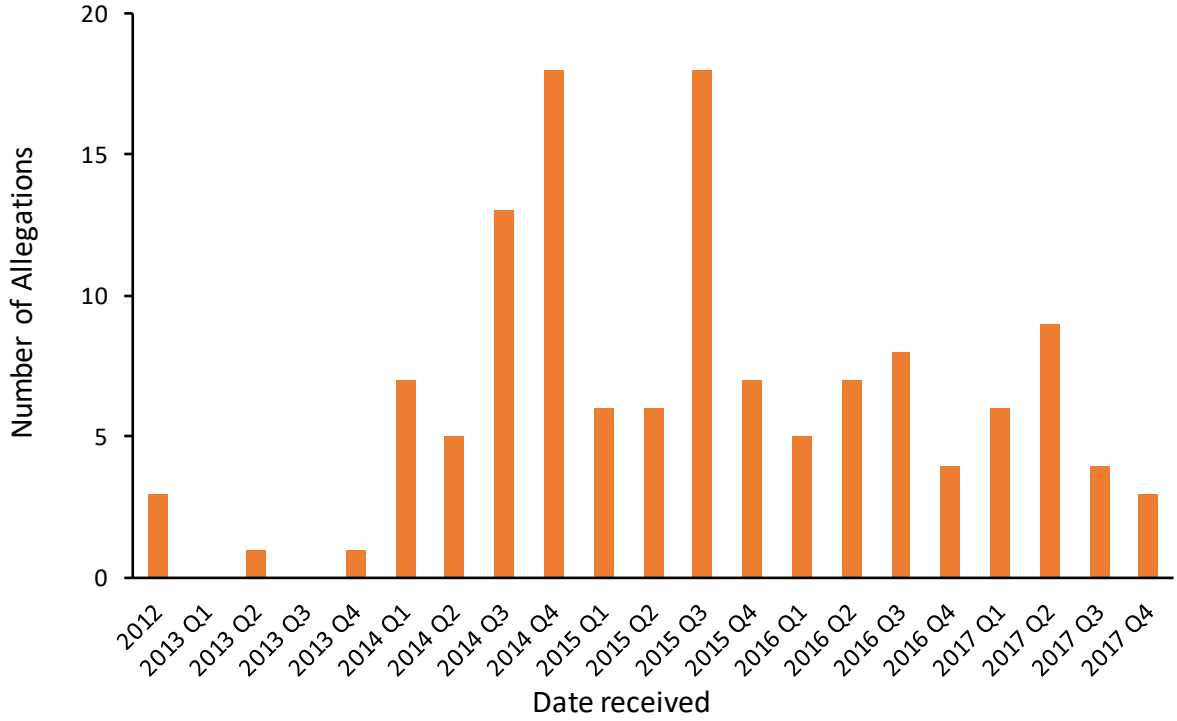

Figure 2. Allegations received between February 2012 and September 30, 2017

The types of allegations received in each quarter of FY2017 are displayed below in Figure 3.

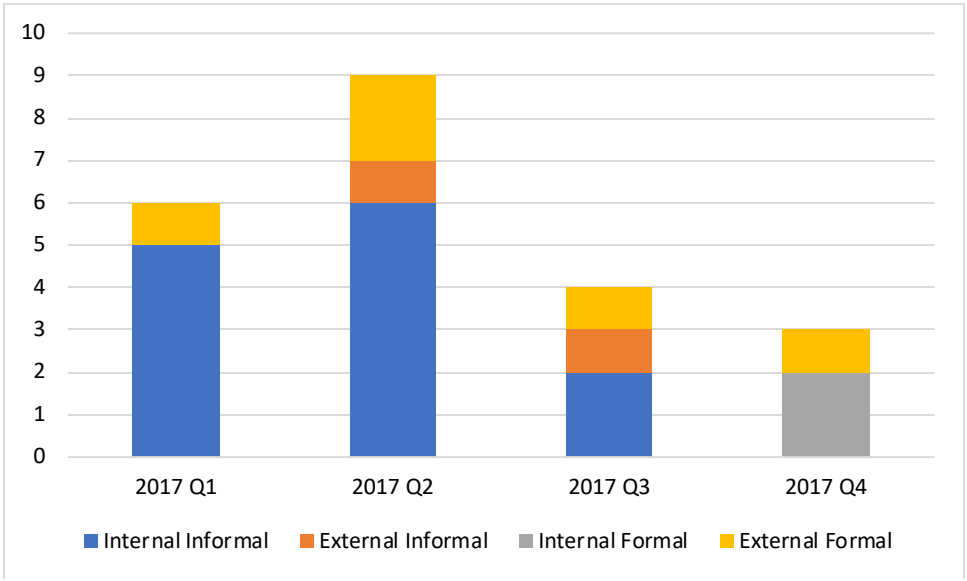

Figure 3: Types of allegations received each quarter in FY2017

The allegations received in FY2017 related to several scientific integrity topics (Figure 4). Ten concerned suppression or delay of release of a scientific report or information, four were related to authorship issues, four were considered interference with science by a manager, two were related to improper hiring/promotion/assignments, one concerned statistical approach, and one was classified as other.

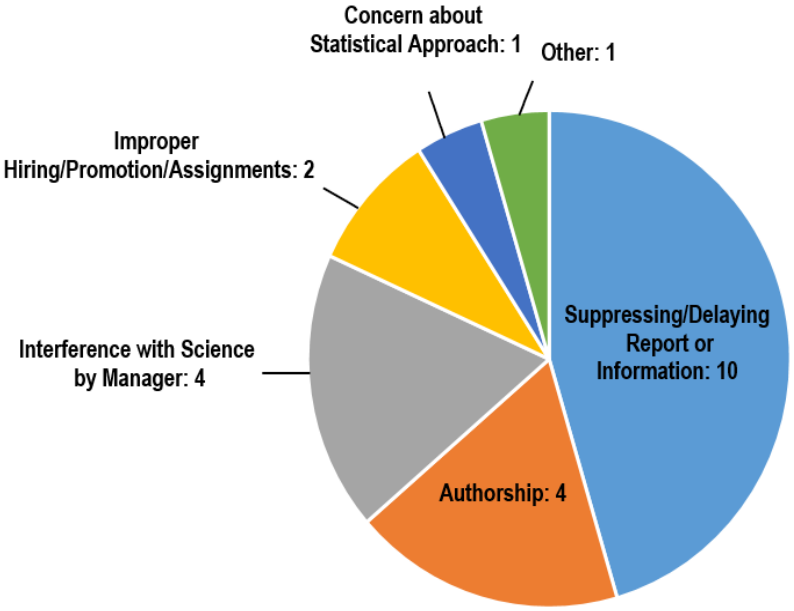

Figure 4: Topics of allegations received during FY2017

Summary of Adjudicated Allegations

Summary of FY2017 Closed Allegations – The following summaries are only for the 16 allegations that were resolved as adjudicated–substantiated or adjudicated–dismissed. Allegations that were reassigned, withdrawn, not scientific integrity, or were unable to proceed are not included.

1. Conflicts of interest on peer review panels.

Allegation: The submitter claimed that there were conflicts of interest for some members of assessment panels citing too much influence from the chemical industry. The focus of this allegation was on the influence of the sitting office manager.

Outcome: When the manager in question left the Agency, the person who made the allegation reported that the situation improved.

2. Concerns regarding scientific integrity of shared data.

Allegation: An employee asked if a formal process exists that makes EPA laboratories/divisions responsible for the scientific integrity of data that they request from either an internal or external group.

Outcome: The employee was directed to several Agency quality assurance guidance documents and online resources.

3. Research scientists marginalized by management.

Allegation: An employee reported a complaint from research scientists that they were being prevented by their management from continuing the work that they had been doing for 20 years that was work the EPA regions had requested.

Outcome: The Scientific Integrity Official (ScIO) explained that while a supervisor may change a scientist's research assignments to support Agency priorities, they should provide for a transition that protects research materials and results. The person who reported this allegation said that this particular situation improved when the supervisor left.

4. Concerns about scientific objectivity.

Allegation: External parties sent a letter to the manager of an EPA office, stating their concerns that an EPA program was being influenced and slowed down by external pressures.

Outcome: The Scientific Integrity Official replied with a letter that described the policies that the program in question had implemented since 2009 to improve transparency and to also ensure that the program maintains scientific objectivity and independence.

5. Concerns regarding the integrity of the processes of an Agency review board

Allegation: An employee questioned the integrity of the processes of an Agency review board, but he/she did not provide a specific instance of the Scientific Integrity Policy being violated.

Outcome: The EPA office that manages the review board released a memo to its managers that outlined future changes to the review board and asked for their input before instituting permanent changes. The proposed changes would address the employee's concerns.

6. Differing scientific opinion on methodology.

Allegation: An EPA employee disagreed with a methodology used by EPA.

Outcome: An alternative dispute resolution process was used to evaluate this allegation. A Scientific Integrity Panel found that the Scientific Integrity Policy was not violated, because the employee had been able to express a differing scientific opinion and there was no evidence of retaliation.

7. Quality Assurance/Quality Control (QA/QC) protocols questioned in an Office of Inspector General (OIG) report.

Allegation: An EPA employee questioned the OIG investigation of contamination at a group of sites. The employee suggested that the OIG should follow Agency QA/QC requirements when generating its own sampling data.

Outcome: The final OIG report acknowledged the regional concerns with the OIG sampling QA protocols.

8. Comments in a public docket questioned the revisions of Agency guidelines.

Allegation: The OIG referred comments in the public docket on revisions to the Guidelines on Air Quality Models to the Scientific Integrity Program. The comments questioned the competency of the contractor involved in developing revisions.

Outcome: The Scientific Integrity Program found no scientific integrity issues related to this comment and notes that the Office of Air and Radiation (OAR) addressed every comment in the public docket about the revisions, including those that were referred by the OIG.

9. Questions regarding validation of data, QA requirements, and statistical analysis.

Allegation: An EPA employee questioned the validation of data for a monitoring program.

Outcome: This was determined to be a differing scientific opinion. The employee was given an opportunity to discuss his/her concerns with a cross-regional workgroup. While the consensus disagreed with the employee, he/she was not prevented from discussing his/her opinion. Therefore, this was not a violation of the Scientific Integrity Policy.

10. Managers requested that employees conduct an incomplete registration review.

Allegation: An employee reported that staff members were asked by management to perform truncated registration reviews in which only certain elements, not the full list of regulatory requirements, were evaluated. Staff members requested that the order for a shortened review be placed in writing, but management refused.

Outcome: The employee reported that, following notification that an allegation had been submitted, the process reverted to the previous methodology with which there were no issues.

11. Fracking report not included in the Agency's response to a Freedom of Information Act (FOIA) request.

Allegation: A report that discussed the effects of hydrofracking on drinking water was not included in a response to a FOIA request regarding hydrofracking. It was noted in the allegation that the relevant report was available online.

Outcome: The Scientific Integrity Program communicated to the submitter that a FOIA office usually does not provide materials that are available online in its responses to FOIA requests.

12. Management delayed the release of a report.

Allegation: A staff member submitted an allegation that the release of a report that was under development for several years was being delayed by management.

Outcome: The ScIO talked with the manager and the report was released one week after the allegation was submitted.

13. The EPA transition team violated the EPA Scientific Integrity Policy.

Allegation: An external group alleged that the transition team from the incoming administration violated the EPA Scientific Integrity Policy. The group based its allegation on media reports that the transition team will expect EPA scientists to undergo an internal vetting process before their work could be shared outside of the Agency.

Outcome: This allegation did not document a specific instance of a violation of the Scientific Integrity Policy, therefore it could not be substantiated.

14. Allegation that the EPA Administrator expressed an opinion that contradicts Agency science.

Allegation: This allegation was originally submitted to the OIG. It alleged that the Administrator violated the EPA Scientific Integrity Policy when he expressed his opinion in a television interview that he does not believe that anthropogenic carbon dioxide emissions are the primary contributor to observed climate change. The OIG referred this allegation to the Scientific Integrity Official.

Outcome: A Scientific Integrity Review Panel found that expressing a personal opinion about science is not a violation of the EPA Scientific Integrity Policy.

15. Allegation that the Endangerment Rule and the Paris Agreement violate the EPA Scientific Integrity Policy.

Allegation: An external submission claimed that the Endangerment and Cause or Contribute Findings for Greenhouse Gases Under the Section 202(a) of the Clean Air Act[1] and the Paris Agreement[2] both violate the EPA Scientific Integrity Policy.

Outcome: This allegation was dismissed as no violation of the EPA Scientific Integrity Policy was demonstrated.

16. EPA did not use relevant studies in its assessment of a chemical.

Allegation: This allegation was originally referred to the Scientific Integrity Program by the OIG. The allegation claimed that a misuse of taxpayer funding and scientific misconduct occurred during the assessment of a chemical.

Outcome: This allegation was referred back to the OIG since none of the issues that were described fall within the purview of the Scientific Integrity Policy, but do fall within the purview of the OIG.

[1] https://www.epa.gov/ghgemissions/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a-clean

[2] https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-7-d&chapter=27&clang=_en